



**In the  
Court of Appeals  
Second Appellate District of Texas  
at Fort Worth**

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No. 02-23-00324-CV

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PHILIP HEARL THOMPSON HAMILTON, Appellant

v.

JOHN JENSEN, JENSEN & JENSEN, P.C., DONALD C. NEMEC, KRISTINA  
WHITTENBURG, AND LAW OFFICE OF K.R. WHITTENBURG P.L.L.C.,  
Appellees

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On Appeal from the 342nd District Court  
Tarrant County, Texas  
Trial Court No. 342-332546-22

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Before Sudderth, C.J.; Kerr and Walker, JJ.  
Memorandum Opinion by Justice Walker

## MEMORANDUM OPINION

Appellant Philip Hearl Thompson Hamilton attempts to appeal from the trial court's orders granting summary judgment that dismissed Hamilton's claims against Appellees John Jensen, Jensen & Jensen, P.C., Kristina Whittenburg, and Law Office of K.R. Whittenburg, P.L.L.C. On October 9, 2023, we notified the parties of our concern that we may not have jurisdiction over this appeal because the trial court's orders do not appear to be a final judgment or appealable interlocutory orders. We informed them that unless any party desiring to continue the appeal filed a response with the court on or before October 19, 2023, showing grounds for continuing the appeal, we might dismiss it for want of jurisdiction. *See* Tex. R. App. P. 42.3(a). We received no response.

We have jurisdiction to consider appeals only from final judgments and from certain interlocutory orders made immediately appealable by statute. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001) (stating that “the general rule, with a few mostly statutory exceptions, is that an appeal may be taken only from a final judgment”); *see also* Tex. Civ. Prac. & Rem. Code Ann. § 51.014(a) (delineating interlocutory orders from which a party may appeal). Unless a statutory exception applies, an order that does not dispose of all pending parties and claims remains interlocutory and unappealable until the trial court signs a final judgment. *See Lehmann*, 39 S.W.3d at 195; *City of Blue Mound v. Sw. Water Co.*, No. 02-13-00255-CV, 2013 WL 4679953, at \*1 (Tex. App.—Fort Worth Aug. 29, 2013, no pet.).

Here, the trial court's orders granting summary judgment are not final and appealable because they do not dispose of the claims pending against Appellee Donald C. Nemec, and no statutory exception applies to allow for an interlocutory appeal in this case. Accordingly, we dismiss this appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a), 43.2(f).

/s/ Brian Walker

Brian Walker  
Justice

Delivered: December 14, 2023